

SULLIVAN & CROMWELL LLP

TELEPHONE: 1-212-558-4000
FACSIMILE: 1-212-558-3588
WWW.SULLCROM.COM

125 Broad Street
New York, New York 10004-2498

LOS ANGELES • PALO ALTO • WASHINGTON, D.C.

BRUSSELS • FRANKFURT • LONDON • PARIS

BEIJING • HONG KONG • TOKYO

MELBOURNE • SYDNEY

MEMO ENDORSED

June 16, 2020

By ECF

The Honorable Lewis A. Kaplan,
United States District Court,
Daniel Patrick Moynihan United States Courthouse,
500 Pearl Street
New York NY 10007-1312.

Re: *Dennis, et al. v. JPMorgan Chase & Co., et al.*, No. 16-cv-6496-LAK
(SDNY)

Dear Judge Kaplan:

Counsel for Defendants Australia and New Zealand Banking Group Ltd. ("ANZ") and Deutsche Bank AG ("Deutsche Bank") write to request that the Court so-order this letter to permit ANZ and Deutsche Bank to file under seal, as exhibits to ANZ's and Deutsche Bank's respective Answers to Plaintiffs' Second Amended Class Action Complaint ("SAC"), the ISDA Master Agreement and/or certain appendices to the corresponding Schedule that they each entered into with an investment manager acting on behalf of Plaintiff Orange County Employees Retirement System ("OCERS").

On January 16, 2019 and April 2, 2019 (*see* Dkt. Nos. 264 and 280), the Court granted Plaintiffs' motions to file under seal incomplete and redacted versions of these same agreements in connection with Plaintiffs' filing of the SAC. ANZ and Deutsche Bank seek to file these agreements under seal to maintain consistency with the Court's earlier sealing orders and to preserve the confidentiality of the agreements' commercially sensitive information, publication of which may result in competitive or commercial harm to ANZ, Deutsche Bank, or OCERS, and the confidentiality of the identities of counterparties to the agreements other than OCERS.

Accordingly, ANZ and Deutsche Bank request that Your Honor endorse this letter to permit Defendants to file the agreements under seal. ANZ and Deutsche Bank have conferred with Plaintiffs, and they take no position on this request. Pending the Court's resolution of this request, ANZ and Deutsche Bank will file placeholders for these exhibits on the public docket.

The Honorable Lewis A. Kaplan
United States District Judge

-2-

Respectfully Submitted,

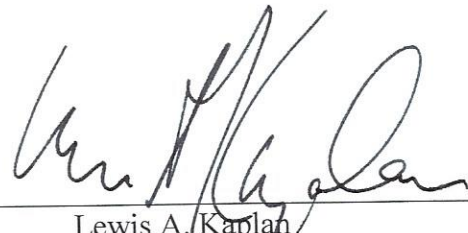
/s/ Penny Shane
Penny Shane

cc: Counsel of Record (via ECF)

GRANTED

SO ORDERED.

Dated: June 17, 2020



Lewis A. Kaplan
United States District Judge